

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Mohammad Hamed Ahmed

Docket No. 5:10-CR-113-3BR

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Mohammad Hamed Ahmed, who, upon an earlier plea of guilty to Conspiracy to Commit Wire Fraud and Mail Fraud, 8 U.S.C. § 1349, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on April 4, 2011, to the custody of the Bureau of Prisons for a term of 27 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Mohammad Hamed Ahmed was released from custody on March 14, 2013, at which time the term of supervised release commenced.

On April 9, 2014, the defendant submitted a request for travel and was given permission to visit his fiancé and her family in Buffalo, New York from April 23, 2014, until April 28, 2014. However, on April 21, 2014, the defendant left the United States without the permission of the court and entered into Canada. On April 25, 2014, the probation officer was contacted by U.S. Customs and Border Protection, indicating that Mr. Ahmed was re-entering the United States. Mr. Ahmed did not have permission to leave the district earlier than April 23, 2014, and he did not have permission from the court to travel to Canada. As a result of his poor choices, the probation office recommended that he complete up to 90 days of electronic monitoring at his expense. The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 9, 2014, the defendant was charged in Mecklenburg County, North Carolina with misdemeanor Intoxicated and Disruptive. This charge is still pending. The defendant did not have permission to leave the district during this time frame and he failed to report law enforcement contact within 72 hours. As a result of his poor decisions, the probation office will allow the defendant the opportunity to participate in substance abuse treatment. Additionally, it is recommended that he complete an intermittent period of incarceration (one weekend). The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 1 weekend (starting Friday at 5 PM until Monday at 8 AM) and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Sr. U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Sr. U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: December 3, 2014

ORDER OF COURT

Considered and ordered this 5 day of December, 2014, and ordered filed and made a part of the records in the above case.

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